

**TO: Federal Communications Commission**

**FROM: Texas Hotel & Lodging Association**

**RE: Proceeding #02-278 – Comment on FCC Fax Rules**

**DATE: August 15, 2003**

As the nation's second largest hotel association with over 1,500 members, we provide numerous services and information to our members via e-mail and faxed documents. We are requesting an emergency clarification of the new fax rules promulgated by the FCC. The Texas Hotel & Lodging Association strongly urges that the removal of the "established business relationship" provision from the fax regulations is an unreasonably onerous imposition on businesses and imposes further hardships on already downsized trade associations. In the case of nonprofit trade associations, the new rules force us to obtain prior written consent from our own members for fax communications, which will not only place an immense administrative and financial burden on associations, but also will severely diminish each association's capacity to communicate with their members. In many cases, we may not receive word back from a member regarding consent to fax items and we will be unable to send urgent communications in an expedient and cost effective manner. We would urge that the same problems will be present for all commercial businesses that have existing relationships with their clients and communicate with them on time sensitive issues through fax or email communications.

We strongly encourage the FCC to consider the profound impact these fax communication rules will place on associations and private sector businesses. It is vital that the FCC take more time to determine whether this interpretation goes far beyond Congress' intended purpose of preventing "spam" faxes from entities that have no prior relationship with the recipients.